

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CARLOS WILLIAMS,

Plaintiff,

v.

LORI LAWSON, et al.,

Defendants.

CASE NO. C21-5536 MJP

ORDER DENYING MOTION FOR  
CLASS STATUS

This matter comes before the Court on Plaintiff's Motion Granting Class Action Status. (Dkt. No. 96.) Having reviewed the Motion, Defendants' Opposition (Dkt. No. 131), and all supporting materials, the Court DENIES the Motion.

Plaintiff asks the Court to "grant 'class-action' status in this matter" based on Plaintiff's claim that "Clallam Bay Correctional Center has a pattern of classifying inmates with sex offenses to units where they are brutally beat[en], [and other inmates] attempt to beat them." (Dkt. No. 96.) There are two fundamental problems with Plaintiff's request.

1 First, Plaintiff has not pleaded this as a class action. There are no allegations in the  
2 Amended Complaint that Plaintiff has filed this on behalf of similarly-situated individuals. (See  
3 Amended Complaint (Dkt. No. 61).)

4 Second, because Plaintiff is not represented by counsel and is proceeding pro se, he may  
5 not properly represent a class. Courts have generally concluded that a purported class  
6 representative who proceeds pro se cannot represent the interests of the class because he will not  
7 provide adequate representation for the class as required by Federal Rule of Civil Procedure  
8 23(a)(4). See McShane v. United States, 366 F.2d 286, 288 (9th Cir.1966) (affirming the  
9 dismissal of a class action for lack of jurisdiction because a pro se plaintiff “has no authority to  
10 appear as an attorney for others than himself”). This follows from the legal principle that pro se  
11 litigants can represent themselves, but themselves only. Simon v. Hartford Life, Inc., 546 F.3d  
12 661, 664–64 (9th Cir. 2008) (applying the “general rule prohibiting pro se plaintiffs from  
13 pursuing claims on behalf of others in a representative capacity” including class actions); Johns  
14 v. Cnty. of San Diego, 114 F.3d 874, 876 (9th Cir. 1997) (“While a non-attorney may appear pro  
15 se on his own behalf, he has no authority to appear as an attorney for others than himself.”  
16 (internal quotation marks and citations omitted)). So even if the Amended Complaint contained  
17 class allegations, the Court would not find Plaintiff to be adequate class counsel to represent the  
18 interests of any class because he is appearing pro se and does not present any indication that he  
19 could serve as adequate class counsel.

20 The Court therefore DENIES the Motion for Class Status.

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1 The clerk is ordered to provide copies of this order to Plaintiff and all counsel.

2 Dated April 10, 2023.

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4 Marsha J. Pechman  
5 United States Senior District Judge  
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